

3. Attached hereto and incorporated herein by reference as Attachment B is a true and correct copy of the transcript of the proceedings before the City of Milwaukee Board of Zoning Appeals on May 18, 2006.

4. Attached hereto and incorporated herein by reference as Attachment C is a true and correct copy of certain pages from the transcript of the deposition of Robert Bauman, taken in the above-captioned case before it was removed to this Court.

5. Attached hereto and incorporated herein by reference as Attachment D is a true and correct copy of certain pages from the transcript of the deposition of Maria Prioletta and an exhibit to that deposition, taken in the above-captioned case before it was removed to this Court.

6. Attached hereto and incorporated herein by reference as Attachment E is a true and correct copy of the Wisconsin Court of Appeals decision in *Wisconsin Housing and Economic Development Authority v. Tri-Corp Housing, Inc. v. Bauman*, Appeal No. 2010AP418.

7. Attached hereto and incorporated herein by reference as Attachment F is a true and correct copy of the Wisconsin Court of Appeals decision in *Wisconsin Housing and Economic Development Authority v. Tri-Corp Housing, Inc. v. Bauman*, Appeal No. 2010AP1443.

8. Attached hereto and incorporated herein by reference as Attachment G is a true and correct copy of certain pages from the transcript of the deposition of Michael Brever, taken in the above-captioned case before it was removed to this Court.

9. This affidavit is filed in support of the motion for summary judgment of the defendant.

Dated at Milwaukee, Wisconsin this 1st day of March, 2013.

s/JAN A. SMOKOWICZ

Subscribed and sworn to before me
this 1st day of March, 2013.

s/BARBARA A. LUECKING
State of Wisconsin, Notary Public
My Commission: 1/12/14

1033-2008-967.003:189799